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# REPORT

OF THE

# PROCEEDINGS OF AN INDIAN COUNCIL,

AT CATTARAUGUS,

IN THE

# STATE OF NEW YORK;

HELD 6 MONTH, 1843.

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BALTIMORE:
PRINTED BY WILLIAM WOODDY.
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# REPORT, &C.

To the General Committee on Indian Concerns, representing the Yearly Meetings of Genesse, New York, Philadelphia and Baltimore.

The delegation appointed to attend the Council of the Seneca nation at Cattaraugus, to be held on the 20th of the 6th month, 1843,

*Report*,

That in compliance with the duty assigned them, they proceeded to the Indian settlement, at Cattaraugus, and on arriving there, found the Indians had met in Council, and that the nation was represented by Chiefs from all the reservations.

The particular object of this Council, it appears was, to take into consideration the Title, by which the Indian lands in the state of New York are at this time held, and to ascertain if measures could not be adopted, which would add further security in the tenure and possession of them; and also to endeavor to restore harmony in the nation, and a more united concert of action in regard to the execution of the treaty of 1842; about which much discordance of opinion, and considerable excitement had taken place, under very erroneous and improper misrepresentations that had been mischievously circulated amongst these people. The attendance and aid of Friends on the occasion, was requested, and under that request this committee was appointed.

Previous to embarking in the service, the committee deemed it proper to acquaint the government with their desire to be present at the proposed Council; and to inquire if there would be any objection, upon which the following reply was received:

WAR DEPARTMENT, *Office of Indian Affairs*, *June 20th*, 1843.

*Sir*,

I have had the honor to receive your letter of the 10th instant, asking permission for a deputation of Friends to be present at a Council of Indians, to be held at Cattaraugus on the 20th inst. There certainly can be no objection to granting this request, and the Department anticipates much benefit to the Indians from the good counsels of the members of your Society.

I regret the delay in answering your letter, which I beg leave to assure you was entirely accidental.

Very respectfully, your most ob. servant,

T. HARTLEY CRAWFORD.

P. E. THOMAS,
*Baltimore, Md.*

The committee, by invitation, attended the Council on the morning of the 6th month 22, when G. M. Cooper addressed the Chiefs assembled as follows:

"BROTHERS! The Great Spirit and father of us all, has once more permitted us to meet together—and it becomes us, as His children, to turn our minds inward to Him, and look to his teaching for wisdom to direct us in the things that may come before us. He has already bestowed many blessings upon us, and these will increase if we continue to be his obedient children. I hope we feel individually grateful for the blessings we have received. In transacting the business that may come before us, I desire that we may all be preserved in a spirit of quietude, condescension and love one towards another. This will enable us to preserve that order and decorum, which becomes a deliberative body, and lead to the termination of the business that may come before us, to the satisfaction of us all."

Seneca White, on behalf of the Council, replied as follows:

"BROTHERS! We feel thankful to the Great Spirit that he has

preserved us since our separation, and has permitted so many of our friends to leave their homes to come to see us—we are thankful there is so much interest felt among you on our behalf. It is our duty to return thanks to the Great Spirit for his protection—his providential care and keeping.

"Brothers! The Great Spirit has once more permitted you to visit the Senecas—we are glad to see you at this time. We greatly need your counsel and advice in the present critical situation of our affairs—we are thankful for what you have heretofore done, by aiding and advising us, and we hope you will be enabled to give us advice at the present time.

"Brothers! We pray the Great Spirit to bless your labors among us, and that we may pursue such a course as will be for our real benefit."

The minutes of a former Council were then read, by which it appeared that the Indians had at that time under consideration, the subject of the better security of the "Title" of their lands in the state of New York, and had requested the assistance of Friends in enabling them to accomplish this desirable object. The committee were now called upon to know if any progress had been made in this matter, and whether there was a prospect of success.

This subject being one of great importance to the Indians, it was considered necessary that they should all understand it thoroughly.

G. M. Cooper, accordingly, made the following observations in relation to it, and gave the Indians a reason why no progress had yet been made in it.

"Brothers! As the subject before the Council is probably new to some who were not present at the time when it was introduced, I will endeavor to explain the object of it. After the ratification of the Treaty of 1842, it became the concern of your nation, to have the lands, which by that Treaty were re-conveyed to you, secured in such manner, that you, as well as your posterity after you—might be assured of enjoying a

permanent residence, on the two restored Reservations of Cattaraugus and Alleghany—this we approved—we were sensible that, like causes might produce like effects, and inasmuch as the lands you yet hold, remain subject to the pre-emptive claim of the Ogden Company; and they having once been sold might be sold again, and you deprived of a home in the state of New York. We know that the great majority of your people desire to remain in the lands bequeathed to you by your forefathers, and your friends greatly desire they may be secured to you—so that no power on earth can take them from you, without the free consent of the owners.

At the Council held last winter, it was therefore suggested that it would be well for the nation to take some steps that would be likely to ensure the security of your homes—after a full discussion of the subject at that time, among yourselves, the Council agreed to refer the whole matter to Friends, in order that if any way opened for them to move in it, they might do so. I am sorry to say, that soon after I had returned home and reported the conclusion of the nation, I heard there was some dissatisfaction among the Indians, with regard to the arrangements made by the Treaty of 1842, and that some of them had signed a petition to the government of the United States, in order to make an effort to annul that Treaty. Therefore your friends wisely concluded, under the circumstances of the case, to defer making any application to the Legislature of New York, until you could become more united on the subject—they thought that if they pursued this thing under such circumstances, there would be a danger of creating a greater feeling of enmity with your brethren, who had become dissatisfied with that treaty, and might otherwise make difficulties in the way which could not be overcome—we believed also that time and experience would satisfy most, if not all of the Indians, that the terms of the Treaty of 1842, were the best that could be procured for you, and that when you would have become satisfied of this fact, your friends could move in unity with the nation.

"I hope the explanation I have given will satisfy you, and that you will now understand the cause why we did not progress in the business that you entrusted to us.

"This subject is of great importance to you, and we are willing to assist you, as far as it is in our power, to accomplish it, at the same time we want you clearly to understand, that, in case your minds have changed since last year, we have no disposition to urge you to do any thing against your wishes or your will—we therefore wish you again to consider it calmly and dispassionately in the present Council; I want you to understand that your title to the Cattaraugus and Alleghany Reservations is just as good as it was 100 years ago—there is no power on earth that can deprive you of these Lands without your consent, so long as you remain united to keep and not sell them—we do not want you to be deceived by any idle story, that you cannot keep possession of these two Reservations—you have been told that you cannot, under any circumstances, stay here but a short time; this is not true, your stay here depends entirely upon your own choice; your only difficulty lies here; by your present laws a majority of your *Chiefs* can sell all the Lands of the nation, although the majority of the people may be opposed to such sale.

"This we think is unjust, and we again call your attention seriously to it."

The Indians then went into a discussion of the subject, among themselves, in which the former emigration party actively participated. The whole Council manifested much interest and anxiety, to have their homes made secure against the spirit of avarice and cruelty, which is seeking to dispossess them of the small residue of their once extensive domain.

The Council, after a free and exciting discussion, proceeded to appoint a committee with great unanimity, consisting of seven Chiefs, taken from the different Reservations, to unite with Friends, in the further consideration of the subject, and instructed them to report to a future sitting of the Council, what

course would be safest and best for the nation to pursue in order to ensure this desirable object.

Before the committee left the Council, to confer with the Chiefs just appointed, G. M. Cooper made the following additional remarks:

"Brothers! It affords us great satisfaction to see so much unity among you. It is gratifying for us to see so many, who have not been in the practice of latter time, of taking part in the deliberations and decisions of the Council, now uniting with their brethren in one common cause, of deep interest to you all. It seems to afford an evidence that you will see better days.

"Brothers! It is a self-evident truth, that a house divided against itself cannot stand—and I rejoice in believing that the day is coming, when we shall see among you, brothers united to brothers as one family. And now we sincerely desire, that the things which are past, and which have produced much unpleasant feeling in the minds of some, may be left behind; and let all look forward for better things, and better days. It becomes the dignity of men to forgive those whom they consider their enemies—you may rest assured that where this principle is carried out, it always ends in good. We wish, therefore, that you may leave the things that are past, and hereafter cordially unite together as brethren—this will not only promote your happiness here, but will have a tendency to secure it hereafter."

On the succeeding morning the committee of Chiefs before alluded to, made the following Report:

"The committee to whom was referred the subject of the Title to the Lands of the Senecas, having met with the committee of Friends, now attending the Council, and heard their views, have upon consideration agreed to report, to wit:

"That in order to obtain a more effectual security to the Title of our Lands, application be made to the Legislature of New York, to pass a law authorizing us to convey, in Trust, all our Lands to that state.—Conditioned 1st. That the state

cannot hereafter alienate it without the consent of two-thirds of the male population of the Senecas, of the lawful age of 21 years, in Council assembled,—and 2d. That the Seneca nation cannot hereafter alienate it without the consent of the state.—The said Trust to continue so long as the pre-emptive claim to the Lands of the Senecas shall exist. But in case it shall be ascertained by consulting good legal Counsel, that such conveyance in Trust cannot be made, or is not the best method of securing such Title—then some other plan should be adopted to effect this desirable object.

In order to carry out this object, we propose that the present Council appoint a committee, to co-operate with Friends, with instructions to consult the best legal authority on the subject, and report to a future Council of the nation, for its consideration, what course is the wisest and best for the Senecas to pursue, to accomplish this object. Which is respectfully submitted.

Signed, George Lindsey,
M. B. Pierce,
Samuel Gorden,
Isaac Shanks,
Henry Two Guns,
Tunis Halftown,
Jacob Blacksmith.

The Report being read,

William Crouse—rose and objected to it, "he did not see that it proposed any thing that would positively secure their Lands from the Ogden Company—he thought that the only way to make them secure in their possessions would be to divide their Lands, and let each Indian have the right and title to his own."

G. M. Cooper replied—"I presume the Chief who has just spoken, does not clearly understand the Report. The substance of the report is simply to appoint a committee, to unite with a committee of Friends—the business of this committee is to seek out a path to travel in with safety—there have been several paths pointed out to walk in—now if this committee,

after taking legal advice, think that the proposition to convey the Indian Lands in Trust, to the state of New York, is not a safe or a good path, they will try to find out another—and when they have found one in which they can walk with safety, they will call the nation together, and lay it before them, and the nation will then determine whether it is best for them to walk in it. The proposed committee are only to investigate the subject more fully than has yet been done—they are not to do any thing else—they are not authorized to act until they report to you, and get your instruction. Individuals of this nation may have their plans for securing these Lands, but if they act in a matter like this, without legal knowledge, their plans may be of no avail—we think the plan which the report proposes to adopt, is a safe one. But your Friends have no desire to influence you to adopt the report, unless you clearly comprehend it, and are satisfied with it."

The deep importance of the measure now before the Council, involving an entire change in the whole Indian economy, as well as manner of administering their national affairs, and proposing to divest the Chiefs of a power long exercised by them, as might be expected, produced considerable excitement. P. E. Thomas, who had been prevented, by indisposition, from attending at an earlier period, addressed the Council as follows:

"Brothers! I have just risen from a bed of sickness, and am still very feeble; I can therefore not say many words to you. But the deep interest I feel in your welfare, does not allow me to remain silent, when I see you in danger of being mistaken on a subject of so much importance to you, as the matter now under consideration. It is more than forty years since I first sat in an Indian Council in the state of Ohio, in company with other Friends, then much older than myself, for the purpose of deliberating upon matters that concerned the welfare of your people; and I have frequently since that time, been at Indian Councils in different parts of this

country, for the like purpose. I make these remarks that you may be satisfied, what I am about to say, comes from an old and sincere friend to your people.

"BROTHERS! After carefully examining into the Title by which you hold your Lands, I admit that this Title is safe while you continue to be a united people; but what assurance have you that this will be the case. The past should admonish you that unless some measures are adopted, which will wholly change the manner of selling your Lands, you may soon be again annoyed by those who claim a pre-emptive right to purchase these Lands. The same efforts that have been heretofore made, will again be repeated, and the same means will be employed, to induce your Chiefs to dispose of the property of the nation, and you have no guarantee that you will not be driven from your homes in the state of New York, and compelled to seek a refuge for yourselves—and for your wives and your children, in the wilderness.

"This being the true state of your case, it is very important that some change should take place in the mode of alienating your lands, and the question is, what will be the best means of effecting a purpose which we all admit is necessary, and so much desire? Your friends have reflected deeply and very long upon this matter—and they approve of the course now proposed.—According to the existing usage of your nation, your Chiefs have, by a bare majority, the right to sell and dispose of the Lands of the Seneca nation. The Report before you proposes that this right shall, hereafter, be vested in the whole nation, in full Council assembled; and that it can then only be done by the vote of two-thirds of the whole adult male population. You know that by the Treaty of 1838, a company of speculators, through the agency of a majority of your Chiefs, succeeded in taking away all your Lands, and that by the exertions of your friends, assisted by the Secretary of War and the President of the United States, they have been reluctantly induced to convey back to you, the two Reservations of Cattaraugus and Alleghany, which you now hold in undis-

puted possession. Do you believe this company have abated in their desire to possess themselves of these Lands? Or are you not yourselves sensible that as soon as they will have disposed of the Reservations which they have retained, they will renew their efforts, without regard to the means used, to obtain the others also?

"It has been said by one of your Chiefs, that this plan does not afford absolute security—this is certainly true. But it should be borne in mind that there is nothing in this world so absolutely certain but that it may be subject to change. The question is not then whether, by the measure now proposed, you will have obtained perfect security—but whether it offers the best security that circumstances will permit. After looking all around, the plan suggested appears to us, to be the best you can adopt. There are among you wise experienced men, upon whom you can confide, and we advise you to select from them a prudent, judicious committee, to take the subject into further consideration, as proposed, in order to ascertain if this is a judicious course for you to pursue, or see if there be a better path for you to walk in.

"Brothers! In order that there may be no misunderstanding in regard to our meaning, I will repeat the views of your friends upon this matter. 1st. We advise you to place the Title of your Lands in such a situation as will put it out of the power of any body to cheat you out of them; but at the same time to leave youselves at liberty to sell these Lands should it really be the desire of the nation to do so—without this privilege you could not be the owners of the Land. Our purpose then is not to weaken your ownership of it, but to place your Title in such a position that it will be impossible for any one to deprive you of it without your consent. 2d. We further recommend that as soon as you desire it, your Lands should be laid out into tracts of convenient size, such as yourselves should prefer—that these farms should be apportioned among your people in such manner as you may conclude right,the deeds for them to be recorded in the office for recording deeds, in the

county where the Lands lie—from this time they will become individual property; and it will not be in the power, even of the nation, to deprive any individual of his home, without his consent.

3dly. That there be extended to you whenever you choose to accept it, the rights and privileges of citizens of the state of New York—then, and not till then, you may consider yourselves safe in the Title to your Lands, and may go on to improve your several farms with perfect security.

"Brothers! In such an undertaking as this, it is necessary to proceed step by step—we cannot accomplish every thing at once—when these several matters will have been successively gained, the next object of your friends will be to give you such advice and assistance, in the cultivation of your land, and in the education of your children, as will tend to promote the elevation of your people, to the moral and intellectual condition of the white people of this country."

A Chief wished to have the object and effect of a Deed of Trust more fully explained—he did not understand it clearly.

P. E. Thomas replied. "This kind of conveyance does not interfere with the Title to your Land. It is called a Trust Deed, because the person who holds it, does so for the use and benefit of another, and not for himself. It is such a Title as a parent holds on Lands belonging to his children: under this kind of Title, the child cannot sell his Land without the consent of its parent, neither can the parent make any disposition of it but for the benefit of the child. The Indians will continue to hold the same Title under such Deed as they now hold—the only difference is, they cannot sell their Land without the consent of their Guardian. Their Guardian cannot sell it nor can he come upon the Land to interfere with you, or in any wise disturb you—nor is the Guardian to receive any compensation. The only difficulty would be to get the state of New York to take the Trust proposed; but we hope the state will be willing to extend its care and Guardianship over you.

"In conclusion I wish you clearly to understand, that in offering these views we do not desire improperly to press them—we do not come here to dictate to you, or to urge you to adopt any measures which you do not approve—we have come a long distance to sit with you in Council; and we have, as your friends, given you the best advice we could—we have told you that we consider it important that you should make some change with regard to the manner of selling your Lands; because, unless this is done, we most certainly believe you will be in danger of losing your present homes, and be compelled, as you would have been, had the Treaty of 1838 been carried into effect, to seek a home in a distant wilderness, where misery, and poverty, and death, would have followed you. I could unfold to you a picture of the sufferings that have befallen some of the Indian Tribes, who have been compelled to remove to the west, that would make you shudder with horror; your removal there might be attended with similar calamities. And I most anxiously hope that such miseries may never overtake the small remnant, now left, of the once numerous and powerful Seneca nation.

"Having given you our advice, we have accomplished the purpose for which we came here, and will leave you to discuss the matter now under consideration, among yourselves, earnestly desiring that the Great Spirit may so direct your counsels that in your deliberations, you may be enabled to arrive at a wise and safe conclusion."

As Friends were about to retire, G. M. Cooper informed the Council "that the committee would remain until to-morrow, and if they desired any further assistance during the day, they would return in the afternoon."

The committee then withdrew and the Council proceeded to a deliberate consideration of the report, which, after discussion, was adopted with great unanimity; and three Chiefs were appointed a committee, to carry it out as therein proposed.

Under an arrangement of the delegation, it was subsequently concluded to commit the further management of this con-

cern, so far as Friends might be called on to act, to the especial care of the New York committee, and they have undertaken to attend to it, with the understanding, that should they deem it necessary, they will have liberty, to call to their aid such advice and co-operation on the part of the other Yearly Meetings committee, as they may apprehend requisite.

During the discussion that took place on the subject of securing the Indian Title, Israel Jemison, who had formerly occupied the station of a Chief among the Senecas, but had resigned his office, in consequence of dissatisfaction at the proceedings of the Council of 1842, rose and made some remarks, in which he said, "that Friends had deceived the Indians—that they had obtruded themselves upon them, and had interfered with their business; and that it was they, who had fixed the Treaty of 1838, upon the Senecas, and he warned the nation not to listen to our advice, saying he had no confidence in us—that we had got up the Treaty of 1842, in order to deprive the Indians of their Reservations."

These remarks were exclusively addressed, by him, to the Indians, and were not intended for us. But on being informed of the import of his communication, it was thought proper to take notice of it.

G. M. Cooper therefore, with permission, addressed the Council as follows:

"If I understand my brother's talk, he has endeavored to convey the idea, that we have heretofore improperly interfered with the concerns of the Indians; and have endeavored to force things upon them. If I could possibly conceive of any interest we could have in forcing things upon you—or deceiving you, his remarks might have more effect upon my feelings than they have. I do not recollect the time that we have asked you for your money—we have never asked you for any of your Lands—neither have we ever attempted to force our religion upon you. You yourselves know, that we have never asked any thing of you, as a reward for our labor.

"We have asked you to be sober—we have asked you to be industrious—to be honest—we have asked you to live together in harmony and love. These are the things that we have asked of you, and urged upon you—but we have never practised deception upon you. We have never imposed ourselves upon the Seneca nation. On the other hand, the Senecas, when pressed by difficulties, have come to us, and solicited us to assist them—to give them advice—and none have been more anxious to have our aid than Jemison himself. Does he not remember that he was one of the deputation sent from the nation, during their late troubles, to ask our aid—why has he changed his mind? Why does he now say, he has no confidence in us, and warn the Council against taking our advice? We have always felt interested in the welfare of your people—we continue to feel so—we have not changed. But notwithstanding the concern and interest we feel for your welfare, we have no desire of imposing ourselves upon you, or remaining with you a moment longer than we have your confidence, and you wish our presence and aid. We came here at your request—we undertook to aid you in your difficulties at your request, and now we plainly tell you, that if you no longer wish our aid and sympathy, you have only to say so, in a few words: We wish you distinctly to say what your wish is—you may be assured we will leave you, if you do not any longer wish our assistance—we have no disposition to interfere with your affairs."

Israel Jemison now again rose, and said "he did not intend the remarks he had made for our ears—but as they had been interpreted to us, he would give his reasons for what he had said, and explain why he had lost his confidence in us. He then stated that he was informed, when in Philadelphia, that a division had taken place in the society of Friends, and went on to show that his mind had been influenced against us by representations made to him by the Friends in Philadelphia, who were not of our party, and who had told him that they had no confidence in us; and advised the Indians to have nothing to

do with us. He stated that himself and others had been sent by the nation, to Philadelphia, to ask assistance of the society of Friends, after the Treaty of 1838 was ratified, and that they applied to the party there opposed to us first, who advised them to remove west, and professed to be willing to assist them in doing so. He said the deputation then called upon that part of the society to which we belonged, and solicited their aid. As soon as the other party found these Chiefs had interviews with us, they from that moment declined any further communication with them, because they had no friendship for us—nor confidence in us. Jemison then added, that he had asked these Friends, (two of whom he named,) what they would do, if a great log lay in their path, which they could not themselves remove,and those who they now warned him against, offered to assist them, would they not accept the offer? To this they replied, that they would not! This, he said, convinced him that they had no confidence in us. How then could he have any?"

Seneca White here rose, and stated, "That the charges made by Israel Jemison, might be supposed to come from the Council—but they did not. He thought it proper that Friends should hear the voice of the nation—and as they were about to leave for the night, the Chiefs would agree upon an answer to give them, and inform Friends when they would be ready."

The Council continued in session some time after Friends had retired, and late in the evening a deputation of Chiefs waited upon us to say, they would be ready to see us at 10 o'clock, next morning, to which time they had adjourned.

6th month 24th. At the time proposed the committee again met the Indians in Council.

Seneca White informed the committee, "that he had been appointed by the Chiefs last evening, to say a few words which he wished us to listen to as the voice of the Seneca nation—and he would now proceed to discharge the duty entrusted to him.

"BROTHERS! The Chiefs of the Seneca nation return to you their thanks for what you have done heretofore, as well as for what you have done at the present Council—they feel very grateful for the assistance you have rendered them. The proposition you have made with regard to the security of their Lands, they have concluded to adopt—we hope the Committee we have appointed to co-operate with you, will be successful in the attempt, that at some future day they may be able to propose to the nation for its consideration a safe plan for us to pursue.

"BROTHERS! We want you to understand that it is difficult for the Indians to comprehend at once all your propositions and counsel, and because of this misunderstanding, there may arise unpleasant remarks—which originate from ignorance, more than from bad motives—such remarks come from individuals and not from the nation. It is true, we did ask assistance of both parties of the Society of Friends;—the party opposed to you, considering our case hopeless, advised us to remove West—we consulted you on the subject of our affairs, when our Lands were taken from us by the Treaty of 1838, you did not advise us to go, and said you would do all you could for us—we are satisfied with what you have done, and believe it was the best that could be done for us under the circumstances of the case. It is not the wish of this Council that any thing should be said to mar the friendship between you and us—we wish you to forget any unpleasant remarks that may have been made here.

"BROTHERS! We wish you to understand that our confidence in you has not been shaken—we have not abated in our friendship for you, nor in our desire for your help and assistance. It is the wish of this nation that you should continue to assist the Indians—they have no others to look to but to the Society of Friends. The Chiefs are sensible that they are not competent to manage the difficulties which frequently arise between us and the Ogden Company. They therefore

look to you to render them advice and assistance in the present critical state of the affairs of the nation.

"Brothers! We wish to be particular in this respect—very frequently when we have asked advice of the whites, they have deceived us. But in the conduct of the Friends, we have not discovered from the beginning of their labors, that they have ever acted incorrectly, or in any way done injustice to the Indians—we have not found fault with their course of conduct towards us.

"Brothers! You have interested yourselves in Indian affairs for a long time—you have done a great deal for them and for the Senecas in particular—during all this time we have not found you to act dishonestly—you have never required any pay for what you have done—but you have expended much of your time and your money—you have made many long journeys and encountered many difficulties for the express purpose of doing good to this nation. You have a regular system in transacting the affairs of the Indians—you have your meetings at home, where you consider what is for the welfare of the Indians, and you appoint committees to visit us for the purpose of giving us assistance and advice. Now we have considered all these things, together with the interest you feel in our welfare, and we cannot have a single doubt but that you will do justice to the Indians—we have confidence that your interest in our welfare will continue for a long time to come.

"Brothers! Our affairs at present are very difficult—we hope you will not think it strange if we should trouble you many times by asking your advice and counsel. Our path is so difficult, that we cannot walk in it without your advice and assistance. I have now said all that I was requested to say on behalf of the Chiefs, and will only repeat, in conclusion, that the confidence of this nation in you has not been disturbed, and they wish you to continue to feel an interest in our welfare."

As various attempts had evidently been made to impress up-

on the Indians, as well as others, an apprehension that but for the interference of Friends, in bringing about the Treaty of 1842, these Indians might have retained all their lands in the state of New York; or in other words, that by this interference of Friends, they had in effect co-operated with the Ogden Company, in depriving these people of their two Reservations at Tonawando and Buffalo, it is due to all parties, that a plain authenicated narrative of the circumstances connected with this whole matter, should be here given, not only for the information of our own members, who are directly implicated in the transaction, but to disabuse the public of the misrepresentations that have been made in regard to it.*

The society of Friends which we represent, took no part, nor had they any concern, in bringing about the Treaty of 1838, by which the Senecas were alleged to have ceded, and by Deed conveyed, to the Ogden Land Company, all their Lands in the state of N. York, contained in the four Reservations, owned by them at Tonawando, Alleghany, Buffalo and Cattaraugus. After the execution of that Treaty and Deed of conveyance, the nation, who in fact always protested against,and denied the validity of that Treaty, finding themselves about to be driven from their homes and becoming greatly alarmed at their situation, sent a deputation to Friends, imploring assistance in their then distressed situation. Friends in New York and Philadelphia,

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* In a paper published in Philadelphia, entitled THE FRIEND, under date of the 4th month 29, 1843, there is a synopsis of the proceedings of the late Yearly Meeting [Orthodox] there referred to, in which, among other matters, is the following notice of a Report received from a Committee of that Meeting:

"The Report from the Indian Committee was painfully interesting. Through the influence of the separatists and interested persons, the Treaty of 1838 has been irrevocably fixed—though Friends had taken much pains to have an inquiry into the manner it was obtained, instituted by Government, and a strong hope was entertained that it would be annulled. The Indians were induced to sign a Supplemental Treaty last Spring, by which they gave up to the pre-emption holders the Buffalo and Tonawando Reservations, comprising about 62,000 acres of their Land, and much the most valuable. None of the Tonawando Chiefs signed the Treaty, but earnestly protested against it."

to whom this deputation, in the first instance addressed itself, seeing the hapless condition to which these cruelly wronged people were reduced, and feeling deep sympathy for them, in their distress, determined to make an appeal to the government of the United States on their behalf, in the hope that relief in some way might be obtained. In this effort they were joined by Friends of Baltimore Yearly Meeting and a joint committee from these three Yearly Meetings, and also from the Yearly Meeting of Genesse, was appointed to attend to the service.

After a protracted and arduous struggle, for the details of which we refer to the accounts already published in the Reports heretofore made, entitled "The Case of the Senecas," and a "Further illustration of the Case of the Senecas," in which the difficulties and embarrassments that attended the labors of this committee are fully stated, a compromise arrangement was finally effected with the agents of the Ogden Company, by which that association agreed to surrender and re-convey back to the Seneca nation their two Reservations, at Alleghany and Cattaraugus, containing about 52,000 acres of land, or nearly one half of the whole quantity embraced in the four Reservations that had been ceded by the Treaty of 1838. This land was restored to the Senecas under precisely the same Title and tenure by which it was originally held by them; the company retaining the two other Reservations at Tonawando and Buffalo, and agreeing to pay the Indians for these Lands and the improvements thereon, as had been agreed upon, and provided for, by the Treaty of 1838. And here the matter at present rests—the Indians having, by the act of their Chiefs, under the Treaty of 1838, dispossessed themselves of all their Reservations of Land, and having by the Treaty of 1842 obtained the restoration of two of these Reservations.

How Friends, under this plain statement of the matter, can justly be charged with having co-operated in depriving these Indians of any part of their Lands, every one will judge for

himself. How far they have been instrumental in procuring the restoration of the portion now returned to them, will be seen by the following letter, addressed to the Chiefs from the War Department, in reply to a communication sent by them, to the President of the United States, complaining of the Treaty of 1842, which dissatisfaction was no doubt the effect of the insiduous attempts to prejudice them against their Friends after they had been the means of securing that recession and Treaty.

(COPY.)

WAR DEPARTMENT, *Office of Indians Affairs*, *April* 21, 1843.

*My Friends*,

Your letter of the first February last, to the President of the United States, has been referred to this office, with instructions to me to answer it. I am sorry to discover that dissatisfaction exists amongst you, and trust that I may be able to show you all that it is without cause.

The nation had alienated and sold all your Land by the Treaty of 1838. The last Treaty of May, 1842 was brought about by great exertions of your friends, who are still your best friends, and by the friendly countenance and aid of the War Department. This Treaty brings back to you two of your Reservations, and provides for you a home in New York, when you had parted from all your Lands there, by the first Treaty; and but for the last, you must have removed west. This surely is a great accommodation to you; and besides, you are to be paid for the two Reservations you have parted with. The last Treaty has been ratified and confirmed by the United States, and you must remove; any attempt at remaining will be fatal to you, and I advise you as a friend, quietly to remove to the Reservations that are left to you.

Your friend,

T. HARTLEY CRAWFORD.

To the Chiefs of the New York Indians,
Jemmy Johnson, Henry Two Guns and others.
Akron, N. York.

The difficulties thrown in the way by Jemison's remarks being now removed, the Council proceeded with its business. Seneca White informed the Committee that there was another subject on which the Indians wished our opinion and advice. He introduced it in the following manner:

"Brothers! The Indians wish to know what is your understanding of the provisions of the Treaty of 1842, and whether it is intended honestly to carry that Treaty into effect. You were present when that Treaty was made, you understand its provisions. We understand by the Treaty, that the Ogden Company have no right to take possession of our improved Lands till the expiration of two years, and our wild Lands for one month from the time the Appraisers file their Report in the office of the Secretary of War. Now it seems, notwithstanding this provision of the Treaty, the Ogden Company have sold certain portions of the Buffalo Creek Reservation to a company of Germans, who have taken possession of it. Before these Germans took possession of the Lands, the Ogden Company sent a message to the Chiefs through our Agent, Stephen Osborn, and he called them together and laid the subject before them. The answer that the Indians returned was, that they could not permit the Germans to come and take possession of their Lands until the Treaty was fulfilled. A few days after this another Council of the Chiefs was held, and a number of Chiefs were present who were not at the first Council—they gave the same answer that they were unwilling to permit the Germans to settle on the Reservation. This was all done publicly. After this the Agent of the Ogden Company went to some individual Indians and clandestinely made private contracts with them, and in this way a number of Germans have been settled on the Reservation against our consent. We ask for your advice in this matter."

The Committee, upon due consideration of the subject, made the following reply:

"Brothers! We have listened to what you have said, and will now give you our opinion of the Treaty of 1842, and the

advice you ask for. You are well aware that by the Treaty of 1838, the Seneca nation was deprived of all its Lands in the state of New York except about one mile square at Oil Spring. It is not necessary for us, nor would it be of any use now to inquire by what means that Treaty was procured. It is sufficient for us to say, that we believed when we first heard of it, and still believe that it was an unjust Treaty—we used our utmost efforts to expose the frauds practised upon you in getting up that Treaty, in order to prevent its final sanction by the Government of the United States. Notwithstanding all this, it was ratified and proclaimed by the then President as the law of the land. The Treaty itself was made without our knowledge—we had no part in it. When we saw the situation in which you were placed by it, our hearts were made sad—we looked around on every side for a safe path for you to walk in—but for a long time we saw no path but what was obstructed by difficulties that we could not walk over or remove out of the way.

After great exertions, and much patient labor on the part of your friends, they were enabled at last, by the friendly aid and influence of the Secretary of War, and the President of the United States, to bring about the Supplemental Treaty of 1842. The Terms of that Treaty were the best that your friends could obtain for you—by it there has been restored to you the two Reservations of Cattaraugus and Alleghany, of which your nation had been deprived by very unjust means. The provisions and stipulations of that Treaty were laid before you and explained to you at a Council held in the 4th month of last year, when you almost unanimously agreed to accept it. It has been subsequently ratified with all the due forms of law. We advise you therefore to carry out on your part in good faith the Treaty you have made with the United States; you will then secure the friendship and protection of the Government. The President expects this of you—and we plainly tell you that whoever advises you to resist it, whatever may be his pretensions, is your enemy, and we warn you to

avoid his counsel. The Government also expects the Ogden Company to fulfil the Treaty on their part, and you have a right to require them to do it.

"We further advise you, in no case, nor under any promises or assurances to enter, either individually or nationally into any contract or agreement whatever—it may perhaps be used against you as a violation of the Treaty, which specifically lays down the terms and conditions under which it is to be carried into effect. Your people should be urged to avoid all such contracts—you have already been led into difficulty by them, and they may be the cause of much future trouble to you. If any intrusion is made upon your lands under pretence of private sales or contracts, it is a violation of the Treaty, and the nation ought to protest against it, and apply to the Government for protection. You are justly entitled to all the advantages and privileges of this Treaty, and we have no doubt but the Government will secure them to you.

"The 5th article of the Treaty provides, that the forestor unimproved Lands on the Tonawando and Buffalo Reservations shall be surrendered to the Ogden Land Company in one month after the award of the arbitrators shall be filed in the office of the Secretary of War. And it also provides, that the improved Lands shall be surrendered within two years from the filing the said award as aforesaid, when the value of the improvements shall be paid to the President of the United States, to be distributed among the owners thereof."

By this it is clearly provided, that the Indians shall enjoy the quiet and undisturbed possession of their Lands until the Ogden Company have fulfilled the Treaty so far as to pay for their improvements—which is not yet done, and consequently they have no right to intrude upon the two Reservations of Tonawando and Buffalo.

That the Indians have a just claim to the protection here assured under the provisions of the Treaty of 1842 is very certain, and we trust it will, in good faith be extended to them. They have also a further claim to the quiet and peace-

able possession and occupancy of their Land in the state of N. York, under the repeated stipulations contained in a succession of treaties made with them by the Government during the past fifty years, as well as from the unqualified assurances of General Washington, when President of the United States.

At an interview with Corn Planter, the head Chief of the Seneca nation, who had formally and officially waited upon General Washington, as the Chief Magistrate of the United States, in relation to the tenure of these lands, General Washington did, in his reply to the address of that Chief, solemnly guarantee to the Seneca nation,this very Land,in the following emphatic declaration which was delivered to him, and has been preserved to the present time, towit. "I am not uninformed that the Six Nations† have been led into some difficulty with respect to the sale of their Lands since the peace, but I must inform you that these evils arose before the present Government of the United States was established, when the separate States and individuals under their authority undertook to treat with the Indian Tribes respecting the sale of their Lands. But the case is now entirely altered—the General Government, only, has the power to treat with the Indian natives, and any Treaty formed and held without its authority will not be binding.

"Here then is the security for the remainder of your Lands; no State or person can purchase your Lands unless at some public Treaty held under the authority of the United States. The General Government will never consent to your being defrauded, *but will protect you in all your rights.*

"HEAR WELL AND LET IT BE HEARD BY EVERY PERSON IN YOUR NATION, THAT THE PRESIDENT OF THE UNITED STATES DECLARES, THAT THE GENERAL GOVERNMENT CONSIDERS IT-

† The Six Nations here referred to, constituted, at that time, a numerous and powerful confederation; they were composed of the following tribes, viz. Senecas, Onondagoes, Tuscaroras, Oneidas, Cayugas and Mohawks. The Council fires of the two last tribes have gone out, and they no longer have a national existence. Of the Oneidas a very small remnant is left on the Reservation near to the Oneida Lake, in the state of New York.

SELF BOUND TO PROTECT YOU IN ALL YOUR LAND SECURED TO YOU BY THE TREATY AT FORT STANWIX, THE TWENTY-SECOND OF OCTOBER, ONE THOUSAND SEVEN HUNDRED AND EIGHTY-FOUR, *except such parts as you may have since fairly sold to persons properly authorised to purchase of you.*

"Your great object seems to be the security of your remaining Lands, and I have therefore, upon this point meant to be sufficiently strong and clear, that in future you cannot be defrauded of your Lands—that you possess the right to sell your Lands, and that therefore the sale of your Lands in future, will depend entirely on yourselves. The United States will be true and faithful to their agreement."

The Committee having rendered the Indians such assistance and advice, as the situation of their affairs seemed to require, were now about to withdraw, and in the conclusion of the interview with them, John Jackson made the following remarks:

"BROTHERS! We are now about to leave you, in order to return to our respective homes, and before we part we wish to say a few words to you. Our forefathers and your forefathers made a covenant with each other, in which they mutually promised that their friendship should continue so long as the sun and the moon should endure. We do not wish that friendship broken. We profess the same principles by which our forefathers were governed in their benevolent endeavors to improve the condition of your people—we speak the same language which they spoke to you. When we look back and remember what was your situation when our fathers first came to see you in the wilderness—when you had but a very small portion of your Land cultivated, and your people were much given to intemperate habits, to the great injury of your nation, and compare your situation then to what it is now, it is cheering to us to see the improvement you have already made, not only by discarding the use of spirituous liquors, but also in your mode of procuring the necessaries of life by cultivating the earth. This is encouraging to us, and we believe your

comforts will continue to increase as you improve in habits of temperance and industry.

"BROTHERS! Our fathers long ago advised you to withdraw your women from the labors of the field, that they might attend to domestic employments—this is their proper business—while the men should engage more extensively in agricultural employments, and in those trades and occupations that will promote the good of the whole community. This advice we repeat to you, and desire to impress upon your minds the importance of attending to it.

We affectionately exhort you to become united, and live in peace with one another and with all men. This is one of the greatest blessings you can enjoy. It will enable you to overcome many difficulties, and will be a source of great encouragement and gratification to your friends. If you live in peace the Great Spirit will be with you, and His blessing will rest upon you.

"We wish you to keep your children steadily at school, and thus secure to them that moral and literary instruction that will elevate them to the rank of intelligent good citizens, and crown with full success the long and patient labors of your friends, for the happiness and prosperity of the Seneca nation.

"BROTHERS! Notwithstanding we have made a long journey to see you, and have encountered many trials, yet we are glad that we have had the opportunity of shaking hands with our Indian brethren, and assuring them of the interest we feel in their welfare—and we wish that our parting may be under feelings of mutual friendship and good will. Sincerely desiring for you the protection of the Great Preserver of men, whose providential eye is upon you as well as upon us, I bid you for myself and for the Friends now present—farewell."

Governor Blacksnake, a very aged Chief, supposed to be near one hundred years old, who had attended all the sittings of the Council, and had travelled forty miles on horse-back, in one day, that he might be present, now rose and made the following concluding remarks:

"Brothers and Friends! You have now taken leave of us, and are about to go—before we separate I wish to say a few words in conclusion. The communication you have made—and the advice you have given us is intended for our instruction that we may become a happy and a prosperous people.

"You have advised us how to conduct our business—you have told us that our women should be taken from the field, and employed in the house, and that the men should attend to the employment of the field; you have also given us some general instructions for the whole—all that you have said is correct—you spoke also with regard to the instruction of our children, that they might become intelligent and useful citizens—we thank you for this advice—we wish you to understand that all these things are in progression, but we are happy to hear you repeat these things to us.

"Now in conclusion we will endeavor to remember you in our prayers, that you may return safely to your homes—we will also hope that at some future day, we may be permitted to meet you again. We are glad you continue to feel so much interest in our welfare. It is a long time since our fathers have covenanted with your fathers that there should be a friendship between you and us.

"We have remembered all these things—we now put them all together—we feel grateful for your kindness—we are also happy to see our friends and sisters, that are with you, who have come here for the purpose we suppose, of looking into the condition of the Indians—we return our thanks for their kindness. This is all we have to say, now you are about to retire."

The business of the Council having been brought to a satisfactory close, it was now adjourned; having first *Resolved*, with a single dissenting voice, *to abide and carry out the Treaty of* 1842; and secondly, determined immediately to call on the Government to see that the Treaty be faithfully executed on its part, as well as on the part of the Ogden Company. In these proceedings the Tonawando Chiefs cordially united, of

course the late schism, which had unhappily been produced between these sections of the Seneca nation, it is hoped, is healed.

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In concluding this Report it is a source of sincere gratification to the committee, that they can assure their friends there is a progressive and very obvious improvement gradually taking place among the Senecas, both as regards their social and moral condition. By the cultivation of their land, and raising of stock, they are generally well supplied with provisions—they are peaceable and orderly in their deportment, and have very much discarded the use of ardent spirits; during the whole of our stay at the Reservation, we did not see one Indian intoxicated; and consequently they have become greatly emancipated from the long catalogue of evils, that invariably accompany habitual intemperance—no spirituous liquors are permitted now to be sold in the Cattaraugus Reservation, and it is believed the time is not far distant, when the Senecas will banish altogether from among them the use of ardent spirits, as a drink, and become in this respect a light to those by whom they are surrounded.

The progress they have made in agriculture, is as great as could have been reasonably anticipated, when we consider the unsettled condition in which they have been kept, and the circumstances under which they have been placed.

It could not be expected, that the wilderness should be converted into a fruitful field, as quickly under their hands, as under the hands of white settlers—the latter commence their operations in the wilderness, with the knowledge and experience of generations that have gone before them—while the Indians on the other hand, have all this knowledge to acquire—they have to contend against the habits and customs of their ancestors, to remove the incentives to indolence, and the old obstacles to industry, which have been accumulating for ages. It

should also be borne in mind that the Senecas have been almost constantly annoyed, for the last 30 or 40 years, by the efforts of the company claiming to have a pre-emptive right to purchase their Lands, and to dispossess them of their homes. In view therefore of the difficulties with which they have had to contend, their present state of improvement cannot fail to encourage the cheering hope, that the benevolent enterprise in which the society of Friends, have so long been engaged, having for its object their civilization, will finally, under the divine blessing, be crowned with success.

Their present situation, however, is one of much peril and difficulty, and in the existing critical state of their affairs we believe they have a claim upon their friends for increased exertion and vigilance. For, if those who profess to be their advocates, and to whom alone they look up for advice, should relax in their efforts, and abandon them to the devices of their enemies, the last remnant of their possessions will be taken from them, and they will be driven to a far distant wilderness, where under the accumulated sufferings that would there await them they must soon cease to exist—the Council fire of the Senecas will for ever be extinguished, and no trace of this once numerous and powerful people, will be found, except in the record which history may preserve of the wrongs they endured: and the cruel destruction which an insatiable avarice inflicted upon them.

On behalf of the Committee,

G. M. COOPER,
AB. BELL,
JOHN JACKSON,
WM. E. BARTLETT.

*6th month*, 1843.

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